

JAN 23 2025

A BILL FOR AN ACT

RELATING TO AGRICULTURAL CRIME.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. This Act shall be known and may be cited as
2 "Duke's Law" in memory of Cranston "Duke" Pia.

3 SECTION 2. The legislature finds that agricultural crimes,
4 including theft, vandalism, and trespassing have significantly
5 impacted the State's agricultural sector, leading to economic
6 losses and safety concerns for farmers and ranchers. These
7 types of crimes not only affect individual livelihoods, but also
8 the State's broader agricultural economy and food security.

9 Accordingly, the purpose of this Act is to:

- 10 (1) Establish an agricultural crimes task force to address
11 the issue of agricultural crime in the State; and
12 (2) Increase penalties for property crimes committed on
13 agricultural property.

14 SECTION 3. Chapter 141, Hawaii Revised Statutes, is
15 amended by adding a new section to be appropriately designated
16 and to read as follows:



1 **"§141- Agricultural crimes task force.** (a) There is
2 established an agricultural crimes task force within the
3 department of agriculture for administrative purposes that shall
4 consist of the following members:

5 (1) The chairperson of the board of agriculture, or the
6 chairperson's designee, who shall serve as chairperson
7 of the taskforce;

8 (2) A representative from the department of law
9 enforcement;

10 (3) A representative from the department of the attorney
11 general;

12 (4) A representative from the department of the
13 prosecuting attorney of the city and county of
14 Honolulu;

15 (5) Two members representing agricultural organizations or
16 farmer associations to be invited by the chairperson;

17 (6) Two members from a law enforcement agency with
18 experience with agricultural crimes; and

19 (7) One member from the academic community specializing in
20 agriculture or criminology, to be invited by the
21 chairperson.



1 (b) The task force shall:

2 (1) Develop strategies to prevent agricultural crimes;

3 (2) Coordinate with local law enforcement to enhance
4 responses to reports of agricultural crime;

5 (3) Coordinate with state and county prosecutors to
6 develop methods to prioritize the prosecution of
7 agricultural crimes to the fullest extent of the law;

8 (4) Recommend legislation to address gaps in existing law
9 relating to agricultural crime;

10 (5) Facilitate education and outreach programs for farmers
11 on crime prevention; and

12 (6) Monitor and report on the effectiveness of any
13 policies and programs implemented.

14 (c) The members of the agricultural crimes task force
15 shall serve without compensation, but shall be reimbursed for
16 reasonable expenses necessary for the performance of their
17 duties, including travel expenses.

18 (d) The agricultural crimes task force shall submit a
19 report of its findings and recommendations, including any
20 proposed legislation, to the legislature no later than twenty
21 days prior to the convening of each regular session."



SECTION 4. Chapter 708, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§708- Agricultural crime. (1) A person commits the offense of agricultural crime if the person:

(a) Is on agricultural property and:

(i) Commits a property crime;

(ii) Violates section 183D-26 or 183D-27; or

(iii) Commits the offense of negligent failure to

control a dangerous dog under section 711-1144;

or

(b) Is the parent or legal guardian of a minor who

violates paragraph (a).

(2) A person commits a property crime if the person engages in conduct that constitutes an offense under this chapter. It can be established that the person has committed a property crime by either the prosecution proving that the person is guilty of, or by the person pleading guilty or no contest to, committing any offense under this chapter.

(3) For the purposes of this section:



1 "Agricultural property" means farming assets used for
2 agricultural production, including but not limited to land,
3 buildings, equipment, livestock, and crops.

4 "Minor" means any person under the age of eighteen years.

5 (4) Agricultural crime is a class C felony.

6 (5) For a conviction under this section, the sentence
7 shall be either:

8 (a) For a first offense, a fine of not more than \$2,000 or
9 imprisonment for not more than one year, or both; or

10 (b) For a second or subsequent offense, a fine of at least
11 \$10,000 or imprisonment for not more than five years,
12 or both.

13 (6) In addition to any other penalties, any person who is
14 convicted of a violation of this section shall be ordered to
15 make restitution to the owner of the agricultural property for
16 any damages or losses incurred due to the violation."

17 SECTION 5. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$500,000 or so much
19 thereof as may be necessary for fiscal year 2025-2026 and the
20 same sum or so much thereof as may be necessary for fiscal year
21 2026-2027 for the operational costs of the agricultural crimes



1 task force, including but not limited to the hiring of necessary
2 staff, equipment, and educational outreach.

3 The sums appropriated shall be expended by the department
4 of agriculture for the purposes of this Act.

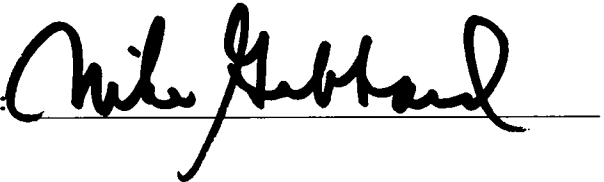
5 SECTION 6. This Act does not affect rights and duties that
6 matured, penalties that were incurred, and proceedings that were
7 begun before its effective date.

8 SECTION 7. New statutory material is underscored.

9 SECTION 8. This Act shall take effect upon its approval.

10

INTRODUCED BY:





S.B. NO. 1257

Report Title:

Agricultural Crimes; Task Force; Offense of Agricultural Crime; Penalties; Appropriations

Description:

Establishes an Agricultural Crimes Task Force to address the issue of agricultural crime in the State. Establishes the offense of agricultural crime to increase penalties for property crimes committed on agricultural property. Appropriates funds.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

